1908-027 Chancery Cause: Mary Lilly vs John Lilly
Lee Co.

DeBusk, Lawson

CA-Divorce

To the Honorable H.A.W.Skeen,Judge of the Circuit Court of Lee County,Virginia.

Humbly complaining,your Complainant,Mary Lilly,would respectfully represent and show unto your honor that she about the year 1898,married one John Lilly,with whom she lived a short time,she was to him a kind and affectionate wife but he on the other hand became dissatisfied without a cause and willfully deserted and abandoned ,your complainant,and went to some Western State and has never returned.

Your Complainant alleges that she is a resident of Lee C County Virginia,and has been for more than twenve months before the institution of this suit;that the aforesaid charge of desertion has continued more than three years,and your c Complainant alleges that she is entitled to a divorce a Vinculo Matrimonii.

In tender consideration of which ,your complainant prays that the said John Lilly be made a party defendant to this bill and answer the same ~~on oath~~ but not on oath,that being waived;that order of publication be posted and published against the defendant who is a non-resident;that your Complainant and the siad John Lilly be forever divorced a vinculo Matrimonii,and the bonds of matrimony dissolved,and your Complainant prays for all relief generally that the nature of her case may require or to equity seem meet,and she will ever pray &c.

M. M. Ely P.Q.

Costs:
Clerk $4.65
Sheriff 1.50
Atty. 15.00
Printer 5.00
Depo. 1.50
$27.65

2 Eals

Mary Lilly Pff.
vs. } Bill in Chancery
John Lilly Deft.

1908 1st Oct Rules
Bill filed, Sps.
not executed Deft.
being a non-resident
O.P. completed & cause
set for hearing.

Mary Lilly Plaintiff
against EE Dox-Chancery-
John Lilly Defendant.

This cause came on this day to be heard upon the bill of complainant and depositions filed therewith, order of publication duly posted and published against the non-resident defendant and was argued by counsel for Plaintiff on consideration of which, the Court being of opinion that the charge of desertion has been proved, it is adjudged ordered and decreed that the marriage contract be dissolved between plaintiff and defendant, and that the plaintiff be forever divorced from her said husband a vinculo matrimonii - and plaintiff will pay the cost of this cause and the same is stricken from the docket.

Mary Lilly Pltff.
vs. { { Decree
John Lilly Deft.

Entered in
C.A.B. No 8, page 432

Enter this

H. A. W. Skeen

Dec - 17 1908

The depositions of Harvey DeBusk and Henry Lawson, ~~taken~~ taken before me Geo. P. Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, on the 30th day of November, 1908, at my office in the town of Jonesville, Virginia, which depositions are intended to be read as evidence in behalf of the plaintiff in a certain suit in Chancery now depending in the Circuit Court of Lee County, Virginia, in which Mary Lilly is plaintiff and John Lilly is defendant, and said defendant having been proceeded against as a non-resident by order of publication in said cause, these depositions are taken without other notice.

Present: Attorney for plaintiff,

Harvey DeBusk, a witness of lawful age being duly sworn deposes as follows:

Q.1.- Please state your age, occupation and place of residence.

A.-- I am 52 years old, am a farmer, and live about 13 miles southwest of Jonesville in the White Shoals District, Lee County, Virginia.

Q.2.-- Are you acquainted with the plaintiff and defendant in this case, and if so how long have you known them?

A.-- I am acquainted with them. I have known Mry Lillie all her life, she is my sister, and I have known John Lilly for 20 years or more.

Q.3.-- When were the plaintiff and defendant married, how long did they live together as man and wife, and if they have since separated, please tell what you know about said separation, and whether or not the defendant deserted and abandoned the dplaintiff. Tell all you know about it.

A.-- They married 10 or 12 years ago, and lived together only two or three months as husband and wife. John Lilly abandoned and deserted the plaintiff some few months after their marriage. He staid around in the nieghborhood for some few months, and then went west. I understand he went to Oowa, and I have seen letters from him from out there. He has never been back since he went west about ten years ago.

Q.4.-- Was Mary a kind and good wife to the--defendant, please state how this was if you know.

A.-- She was a good and kind wife to him, and they had been getting along all right together. One night a neighbor woman came there and staid all night, and the beds were so arranged that he could not get to sleep with his wife that night and he got mad about it and left the next morning, and this was the only cause for his leaving that I know of. He and his wife were living there with us at my fathers home all the time they were together.

Q.5.-- Please state where the plaintiff and defendant last cohabited together as man and wife, and where the plaintiff now resides?

A.-- They last lived together in Lee County, Virginia, and the plaintiff is now, and has all of her life been a resident of and domiciled in the County of Lee, and State of Virginia.

Q.5.-- Please state how long it has been since John Lilly deserted his said wife, and ~~xhex~~ whether or not Mary Lilly in any way connived at or procured or induced him to leave her.

A.-- It has been about ten years since he deserted her. She did not in any way connive at his leaving that I know of. I think he left of his own accord.

And further this deponent saith not.

Harvey Dehart

Henry Lawson, another witness of lawful age being first duly sworn deposes as follows:

Q.1.-- Please state your age, occupation and place of residence.

A.-- I am 26 years old, occupation is saw-milling, live in Rose Hill District in Lee County, Va.

Q.2.-- Are you acqauinted with the parties to this suit and if so how long have you known them?

A.-- I am acqauinted with said parties, have known them for 12 or 15 years.

Q.3-- Do you know when there parties were married, and state

whether or not they are now living together, and if not state how long they have been separated, and what you know about said separation?

A.-- They were married at my father's house and I was there, tho' I was but a boy at the time. They are not now living together, and have been separated about ten years. I do not know what caused them to separate, but I just know that he left and went west, and that she is still living with her father in this County, where they were living together when he left. I have received letters from him since he left, in which he said he lived in Iowa. He never said anything about his wife in the letters he wrote to me. They last cobabtted together in this County, and she is still a resident of this County and has been all her life.

And further this deponent saith not.

Henry Lawson

Virginia, Lee County, to-wit:

I, Geo. P. Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing depositions of Harvey DeBusk and Henry Lawson, were taken sworn to and subscribed before me at the time, place and for the purpose in the caption mentioned.

Given under my hand this the 30th day of Nov. 1908.

Geo. P. Cridlin
Commissioner in Chancery.

Mary Lilly

vs. { Ind Chancery

John Lilly

Depositions of

Harvey DeBusk

Henry Lairson

Comrs. Fee $1.50 Pd.

Filed Nov. 30, 1908.

W. C. T. Ewing

Clerk

*In the Clerk's Office of the* Circuit *Court of the* County of Lee

Mary Lilly — Plaintiff

against

John Lilly — Defendant

In Chy.

This day Aaron Debusk personally appeared before me A. P. Ewing Clerk of the said Court, and being duly sworn, made oath that John Lilly defendant in the said suit is not a resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 15th day of August 1908.

A. P. Ewing Clerk.

Mary Lilly

VS { AFFIDAVIT FOR ORDER OF PUBLICATION

Joshua Lilly

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W. G. Eby p. q.

Filed Aug. 15-1908.
W. C. D. Ewing,
Clerk

BOATRIGHT PRINTING CO., GATE CITY, VA.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 15th day of August, 1908.

Mary Lilly, Plaintiff,

against

John Lilly, Defendant

In Chy.

The object of this suit is to obtain a divorce a vinculo matrimonii

And an affidavit having been made and filed that the defendant John Lilly is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

M. G. Ely, p. q. Clerk.

Mary Lilly

VS. { ORDER OF PUBLICATION

John Lilly

Virginia Lee County, to-wit:

I, S.H.P. Ewing, clerk of the Circuit Court of Lee Co. Va., do certify that I posted a true copy of the within order of publication at the front door of the Court-house of said County on this day.

Given under my hand on this the 18th day of August, 1908.

S.H.P. Ewing,
Clerk.

# The Commonwealth of Virginia,

**To the Sheriff of the County of Lee, Greeting:**

WE COMMAND YOU, That you summon John Lilly

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in Oct 1908, to answer a bill in chancery exhibited against him by Mary Lilly

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 15 day of August, 1908, and 133 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Mary Lilly

VS { SUBPŒNA IN CHANCERY

John Lilly

M G Ely p. q.

To 1st Oct Rules

Lee Circuit Court

1905

## Order of Publication.

In the Clerk's Office of the Circuit Court of the county of Lee, on the 15th day of August, 1908.

MARY LILLY Plaintiff,

against

JOHN LILLY Defendant.

In chancery.

The object of this suit is to obtain a divorce a vincula matrimonii. And an affidavit having been made and filed that the defendant, John Lilly, is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four week in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law

A copy—Teste:

H. C. T. EWING, Clerk.

M G. ELY, p q.

Mary Lilly

vs { In Chancery

John Lilly

I, J. C. Boatright, editor of The Jonesville Star, a weekly newspaper published in the county of Lee, state of Virginia, do hereby certify that the enclosed notice was published in said paper once a week for four successive weeks, commencing on the 20 day of Aug 1908

J. C. Boatright, Editor.

FEE $ 5.00